

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

BARBARA DUZIK, et al.,

Plaintiffs,

vs.

ANTHONY KERKHOVE,

Defendant.

8:03CV280

ORDER

This matter is before the Court on the defendant's Motion in Limine (Filing No. 56). During the pretrial conference held on November 22, 2005, the undersigned heard counsel for the parties on the motion. The plaintiffs conceded the first issue, that plaintiffs will not mention or develop in evidence the presence of liability insurance. The defendant's motion seeks to exclude photographs of the plaintiffs' vehicle (Exhibits 1-9 and 72-73), arguing the exhibits are irrelevant, immaterial and prejudicial under Fed. R. Evid. 403. During the conference, the Court overruled the defendant's objections to the photographs of the plaintiffs' vehicle (Exhibits 1-9 and 72-73). Upon consideration,

IT IS ORDERED:

The defendant's Motion in Limine (Filing No. 56) is granted, in part, and denied, in part, as set forth above.

DATED this 22nd day of November, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge